

# Rocky Flats Coalition of Local Governments

City of Arvada	City of Boulder	Boulder County
City of Broomfield	Jefferson County	Town of Superior
		City of Westminster

## **Board Meeting Minutes**

**Thursday, May 6, 1999**

**8:00 AM- 10:45 AM**

### **Jefferson County Administrative Building**

**Board members in attendance:** Carol Lyons (Alternate, Arvada), Mary Harlow (Alternate, Westminster), Mike Weil (Alternate, Boulder), Tom Brunner (Director, Broomfield), Hank Stovall (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Nanette Neelan (Alternate, Jefferson County), Joel Meggers (Alternate, Superior), Lorraine Anderson (Director, Arvada), Michelle Lawrence (Director, Jefferson County), Sam Dixon (Director, Westminster) (arrived when indicated).

**Coalition staff members in attendance:** David Abelson, Will Neff, Katie Ewig

**Other people present:** Ann Bormolini (Kaiser-Hill), Barb Tenney (Icenogle, Norton, and Seter), John Corsi (Kaiser-Hill), Cindy Trevithick (Congressman Tancredo), Peter Jacobson (Senator Allard), Craig Tessmer (ADCO), Steve Gunderson (CDPHE), Janice Sinden (Senator Allard), Doug Young (Congressman Udall), Gary Baker (Parallax), Katy Human (Daily Camera), Angela Hutton-Howard (CDPHE), Bob Card (Kaiser-Hill), John Schneider (DOE), Joe Legare (DOE), Rick Sheehan (Jefferson County), Tom Marshall (RMPJC), LeRoy Moore (RMPJC), Lisa Rittel (Boulder citizen), Pam Whelden (property owner near Deer Trail), Bill Shortreed (SK), Gary Baughman (CDPHE).

### **Round Robin**

**Westminster:** Mary Harlow discussed developing a vision for the end-state of Rocky Flats. Westminster is concerned about the missing plutonium and will carefully monitor that issue as well as the general safeguards and security in place at Rocky Flats. She also stated that Westminster does not support the use of controlled burns at Rocky Flats for vegetation management.

**Jefferson County:** Nanette Neelan announced that the re-write of the Preble's Mouse sub-area habitat conservation plan would not be in place until December of 1999. Michele Lawrence thanked everyone present for their support and prayers in light of the April 20 Columbine High School shooting.

**Broomfield:** Regarding the Rocky Flats vegetative management plan, Hank Stovall announced Broomfield's opposition to use of controlled burns on the site for any purpose.

**Boulder:** Mike Weil gave notice of the May 11<sup>th</sup> study session on Rocky Flats. It will take place at 7 PM at the City Council Chambers in Boulder.

**Arvada:** Carol Lyons announced that she had sent letters to Congressman Udall, Campbell, Tancredo, and Senator Allard to encourage their support against cutting the funding of the Worker and Community Transition Program. She also plans to send letters urging reform of EPA

### **ADMIN RECORD**

Brownfields and Superfund legislation.

**Will Neff (Coalition Staff):** Introduced Dr. Gary Baker (of Parallax) and announced that he would have the lines of inquiry in the Rubble Disposition Study ready within a week.

### **Business Items**

1. **Executive Director Report-** David Abelson thanked everyone for their support and reiterated his commitment to meet individually with each local government in the coming weeks. He has been trying hard to get the word out about the Coalition and has been meeting with the staff of local government officials (i.e. Peter Jacobson and Janice Sinden with Senator Allard and Doug Young with Congressman Udall). He also attended an Environmental Committee meeting last week and reports that the committee is excited to work with the Coalition on various Rocky Flats issues. David has plans to talk with Jessie Roberson in the near future as well. David echoed Mary Harlow's earlier concern about the potential cut in Worker and Community Transition Program funding, noting that that program is an important source of Coalition funding. David then suggested that the Coalition send a letter of thanks to Udall and Allard for their support as well as more letters to the State Legislature. Legislative luncheon was postponed due to the Columbine tragedy, and will be rescheduled. Luncheon deposits and expenses were refunded by concessions. David received fifty-five resumes in response to Technical Advisor position advertisement, and currently expects to perform two rounds of interviews. Decision will hopefully be made by May 21.
2. **Motion to Approve April 15 Minutes** - Barb Tenney identified a few minor revisions to the April 15 minutes. Tom Brunner moved to approve the minutes with legal counsel's revisions; Michelle Lawrence seconded. The motion passed 6 —0. (Lorraine Anderson requested that the revisions to the minutes be distributed in a more timely manner).
3. **Motion to Approve Bylaws** - David Abelson urged the Board to approve the new draft of the bylaws because the Coalition cannot receive funding from DOE until the bylaws are approved. Barb Tenney noted that she had collected proposed changes to the bylaws from the party jurisdictions and identified the administrative changes made in a black-line version of the bylaws. Ms. Tenney summarized the policy changes in a memo which had been distributed to the Board. The Board approved all of the administrative changes and two of the policy changes. The special meeting notice time (under Article 5, Section D: Notice of Meetings) will be changed from "not less than 72 hours" to "not less than 24 hours", and "any three officers of the Board" (under Article 5, Section C: Special Meetings) will be changed to "any three Board members". Also, the Board decided the expense report would not be a part of the bylaws. Lorraine Anderson moved to approve and Michelle Lawrence seconded. The motion passed 6-0.

(At this point, Bob Card of Kaiser-Hill was introduced. He presented a \$100,000 check to Chairman Tom Brunner to help the Coalition "develop consensus on land-use planning". David Abelson thanked Mr. Card and clarified that the money would be earmarked for use for processes with community involvement.)

4. **Employee Handbook Discussion** — Upon recommendation by the Executive Director, the Board decided to review the handbook and send comments to David within a week so the handbook can be re-drafted and approved at the next Board meeting.
5. **Procurement Committee** - The Board decided to review this issue at a later time.
6. **Moving the RFCLOG Office** - David Abelson presented to the Board the reasons for the relocation of the Coalition office, i.e. he wants to be in a more central location, and there is

too much wasted space at the present office. He asked for Board input on potential office locations. Directors Lorraine Anderson and Michelle Lawrence both suggested looking on 88<sup>th</sup>, and Lorraine urged David not to lease office space in Adams County or Boulder County. Director Anderson also suggested that David Abelson talk to Hazel Hartbarger about office space prior to contracting someone to look for him.

### **RFCLOG Stewardship Involvement**

David Abelson explained to the Board why he recommends that the Board not take any action on stewardship involvement at this point. Originally DOE was preparing to invite the Coalition to co-convene a dialogue on stewardship, then DOE also began to consider inviting CAB to co-convene. Due to this uncertainty David Abelson suggested the Board take no immediate action, but remain open to having a stewardship dialogue in the near future. John Schneider from DOE stated that DOE was trying to set up an inclusive dialogue and that the Coalition would be vital to that dialogue. David Abelson also mentioned the possibility of the Coalition hiring their own consultants, such as the Environmental Law Institute, and convening their own dialogue. Mary Harlow said we must look at the bigger picture and start working to change the state statutes so that the Coalition can work with the State Legislature. Joel Meggers asked for a definition of stewardship, to which David replied that stewardship is the responsibility for discovering the mechanisms and activities necessary to maintain long-term protection of human health and the environment from the hazards posed by residual radioactive and hazardous materials. Mary Harlow and Director Lorraine Anderson reiterated the need for the Coalition to enter into the stewardship dialogue soon.

### **Industrial Area Restoration Strategy**

Will Neff gave a brief overview of the Industrial Area Strategy and Cleanup Principles. He stated that the strategy would be a "master plan" for remediation of the core industrial area of the Rocky Flats site. The main goals of the strategy are to create efficiencies in the industrial area remediation process while reducing waste generation, to provide a vehicle for stakeholder input, and to more accurately forecast cleanup budget needs. A comment draft of the strategy will be released in late summer of 1999. Will Neff proposed six industrial area cleanup principles (derived from the recommendations of the Industrial Area Task Force), and he asked for Board input on them. Although the Coalition Board will be able to comment on the draft strategy, Will Neff also recommended that the Coalition should present its ideas and principles to DOE (via a letter from Board Chairman Tom Brunner) before the draft is released so that DOE can incorporate them into their draft. Mary Harlow stated that the Coalition needs to form a final vision for the industrial area before any letters get sent to DOE. David Abelson asked that the Board members get their comments to him regarding this issue by next week.

\*Sam Dixon (Director, Westminster) arrived at this time.

### **WIPP Update**

Joe Legare from DOE gave a short presentation on the status of WIPP and of the Rocky Flats shipments to WIPP. DOE is currently awaiting a final decision regarding the timing of TRU shipments from Rocky Flats to WIPP, but anticipates shipments from Rocky Flats to begin within six to ten weeks. Joe Legare also briefly described the operable storage facilities at Rocky Flats and the environmental assessment being developed for other interim storage options.

Tom Marshall of the Rocky Mountain Peace and Justice Center then gave a presentation that focused on reasons Rocky Flats waste should not go to WIPP. His main concern is that the federal and state governments as well as the DOE have failed to develop a responsible and protective plan to deal with Rocky Flats waste. Some of his other concerns include the possibility of contaminants escaping from WIPP, transportation risks, and future natural resource drilling in the area surrounding WIPP. He suggested Rocky Flats waste should be stored in monitored, retrievable storage facilities close to the site until more advanced technology can better deal with the problem.

The Board members then voiced their view on WIPP. Lorraine Anderson, Hank Stovall, Mary Harlow, Michelle Lawrence, and Joel Meggers, all speaking on behalf of their city or county, supported WIPP. Mike Weil could provide no position at the current time because Boulder City Council had not yet visited the WIPP issue. Lorraine Anderson moved to support the transportation of TRU waste to WIPP; Michelle Lawrence seconded. The motion passed 5-0.

The City of Boulder abstained.

### **Low Level Waste Presentations**

Before the presentations David Abelson stated that the Coalition needs leadership on the disposal of low level waste and also needs to send letters encouraging Gov. Owens to engage in dialogue regarding this issue. He referred in the Board packet to draft letters to Governor Owens, Congressmen Udall, Senator Allard, and Secretary Richardson from the Coalition and asked the Board to look them over. Hank Stovall would like to broaden the letter to include Colorado Senators and Legislators. Carol Lyons mentioned that John Swartout is going to Chicago to talk about this issue and push for a national strategy.

Gary Baughman from the CDPHE distributed a handout describing the Safety-Kleen (Deer Trail) waste disposal facility. He then briefly described the permit history of the facility, the current status of the storage cells, a description of the community in which the facility is located, and the geological characteristics of the area. Lorraine Anderson also distributed copies of notes from Arvada staff conversations with Simon Bell (Manager of Environmental Affairs and Regulatory Compliance at Safety-Kleen) and John Swartout (Governor's Office of Policy and Initiatives).

Joe Legare from the DOE then talked about the amount and content of the "orphan" low level waste currently at Rocky Flats. He stated that Deer Trail may be the best solution if the site is to meet its 2006 cleanup deadline. Hank Stovall inquired if the Deer Trail facility was a feasible option for the storage of low level waste from Rocky Flats, and Gary Baughman replied that it is currently being evaluated.

### **Public Comment**

Pam Whelden, who is part of the Concerned Citizens of Eastern Colorado, lives in Adams County near the Deer Trail facility. She feels they have already taken more than their fair share of the waste burden, and she adamantly opposes any Rocky Flats waste coming to Deer Trail.

Tom Marshall of the Rocky Mountain Peace and Justice Center recommended giving copies of the draft letters to Governor Owens to Pam Whelden. Tom then stated that he feels that the Coalition's pledge to seek substantive public input on issues relating to the Rocky Flats cleanup has not been upheld. He expressed concern that an action on WIPP was taken without all the

communities being represented (i.e. Boulder County) and without a thorough discussion or debate.

Bill Shortreed (Safety-Kleen) stated that the company is having no financial difficulties as Pam Whelden indicated. He thinks that Deer Trail is a viable disposal site for Rocky Flats, and he said that if it is proven that Deer Trail is safe enough to take the waste then Safety Kleen wants to take it.

Lisa Rittel of Boulder asked what provisions are in place to insure public input in Coalition issues. She also stated that she thought it was "atrocious" that a Board action was taken on WIPP without representatives from Boulder voting.

The meeting was adjourned at 10:45 AM.

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